

### Amendments to the Claims

1. (Currently Amended) A plant Plant promoter, characterized in that it comprises comprising  
(1) a minimal promoter comprising a TATA box and initiation site, and (2) transcription-  
activating elements from a first promoter a set of, and (3) transcription-activating elements from  
a second promoter which elements,

wherein said first and second promoters are different,

wherein said transcription-activating elements from the first promoter and said transcription-  
activating elements from the second promoter have a complementary expression patterns pattern  
and level of transcription in a plant, and

wherein the expression pattern of the first promoter and the expression pattern of the second  
promoter are at least 1% in all plant parts in which they overlap.

2. (Cancelled)

3. (Currently Amended) The plant Plant promoter according to claim 1, characterized in that  
wherein the first one promoter of the set of promoters is specifically expressed active in green  
parts of a the plant, while the other and the second promoter is specifically expressed active in  
underground parts of the plant.

4. (Currently amended) The Constitutive plant promoter according to claim 3, characterized in  
that it is a combination of wherein the first promoter is a ferredoxin promoter the ferredoxine and  
the second promoter is a ROLD promoter.

5. (Currently Amended) The Constitutive plant promoter of according to claim 4, characterized in that wherein the minimal promoter element is derived from the a ferredoxin minimal promoter.

6. (Currently Amended) The Constitutive plant promoter according to claim 4 or 5, characterized in that wherein the ferredoxin promoter is derived from an Arabidopsis thaliana ferredoxin promoter.

7. (Currently Amended) The Constitutive plant promoter according to claim 6, characterized in that it comprises the sequences of comprising SEQ ID NO:1 and SEQ ID NO:2.

8. (Currently Amended) The plant Constitutive promoter according to claim 6 7, characterized in that it comprises the sequence of comprising SEQ ID NO:3.

9-14. (Cancelled)

15. (Currently Amended) A chimaeric Chimaeric gene construct for the expression of genes in plants comprising the plant promoter of claim 1.

16. (New) The plant promoter according to claim 1, wherein the minimal promoter is from the same promoter as the first promoter.

17. (New) The plant promoter according to claim 1, wherein the minimal promoter is from the same promoter as the second promoter.

18. (New) The plant promoter according to claim 1, wherein the minimal promoter is from a third promoter, wherein the third promoter is different than the first and second promoters.

19. (New) The plant promoter according to claim 4, wherein the minimal promoter is a RolD minimal promoter.

20. (New) The plant promoter according to claims 4 or 19, wherein the RolD promoter is a *Agrobacterium rhizogenes* RolD promoter.

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21. (New) The plant promoter according to claim 1, wherein the expression pattern of the first promoter and the expression pattern of the second promoter are at least 5% in all plant parts in which the first and second promoters overlap.

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